

**REID COLLINS & TSAI LLP**  
Marc S T Dworsky (State Bar No. 157413)  
4450 Via Alegre  
Santa Barbara, CA 93110  
(626) 429-4022  
mdworsky@reidcollins.com

**LABATON SUCHAROW LLP**  
Ira A. Schochet\*  
140 Broadway  
New York, NY 10005  
Telephone: (212) 907-0864  
Facsimile: (212) 883-7064  
ischochet@labaton.com

**REID COLLINS & TSAI LLP**  
Jonathan M. Kass\*  
300 Delaware Avenue, Suite 770  
Wilmington, DE 19801-6600  
(302) 467-1765  
jkass@reidcollins.com

*Additional Counsel*

**REID COLLINS & TSAI LLP**  
Minyao Wang\*  
Yonah Jaffe\*  
420 Lexington Avenue  
Suite 2731  
New York, NY 10170  
(212) 344-5200  
mwang@reidcollins.com  
yjaffe@reidcollins.com

*\*Pro hac vice applications  
forthcoming*

*Counsel for Petitioner*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

In re Application of  
507 SUMMIT LLC,  
Petitioner, for an Order Pursuant to 28 U.S.C. §  
1782 to Conduct Discovery For Use In a  
Foreign Proceeding.

Case No. 23-\_\_\_\_\_

**APPLICATION FOR AN ORDER  
PURSUANT TO 28 U.S.C. § 1782 TO  
CONDUCT DISCOVERY FOR USE  
IN A FOREIGN PROCEEDING**

507 Summit LLC ("507 Summit" or "Petitioner") respectfully requests an order in  
substantially the form attached hereto authorizing Petitioner to obtain discovery under 28 U.S.C. §  
1782 ("Section 1782") in connection with an appraisal proceeding (the "Appraisal Proceeding")

1 pending before the Grand Court of the Financial Services Division of the Cayman Islands (the  
2 “Grand Court”), to which Petitioner is a party. In support of its application, Petitioner submits a  
3 Memorandum of Law, the Declaration of Samuel Martin Pierce Dawson (the “Dawson Decl.”) and  
4 the Declaration of Minyao Wang (“Wang Decl.”). Petitioner further states as follows:

5         1. Petitioner seeks the assistance of this Court to obtain relevant discovery from  
6 Kathleen Chien and Linda Chien (together “Respondents”) for use in the Appraisal Proceeding.  
7 Respondent Kathleen Chien is a co-founder, a shareholder, the Chief Operating Officer, and the  
8 long-time “acting” Chief Financial Officer of 51job, Inc. (“Job51” or the “Company”). As one of  
9 the insiders of the Company, she orchestrated a take-private merger (the “Merger”) to the detriment  
10 of the Company’s non-insider public shareholders, including Petitioner. As a result of the Merger,  
11 Petitioner’s shares in the Company were involuntarily extinguished for inadequate consideration  
12 and the Company was delisted from the NASDAQ stock exchange in New York. Kathleen Chien  
13 was one of the “Management Continuing Shareholders” whose shares were not subject to  
14 involuntary cancellation, and she continues to be a shareholder and director of the Company after  
15 the Merger. Respondent Linda Chien, who Petitioner believes is Kathleen’s sister, is the Vice  
16 President of Investor Relations for the Company. Petitioner is seeking to establish fair value of its  
17 Job51 shares in the Appraisal Proceeding.

18         2. Petitioner’s discovery requests are set forth in the subpoena (the “Subpoenas”)  
19 attached as Exhibits A and B to the Wang Declaration and relate to the fair value of the shares of  
20 the Company that are the subject of the Appraisal Proceeding, including the process leading to the  
21 involuntary purchase of the shares of the Company’s unaffiliated minority shareholders (including  
22 Petitioner). As set forth in the accompanying submissions, the discovery requested in the  
23 Subpoenas cannot be obtained compulsorily in the Appraisal Proceeding because Respondents are  
24 not subject to the personal jurisdiction of the Grand Court. But the Grand Court will be receptive to  
25 the discovery assistance from this Court.

26         3. Section 1782 permits litigants in foreign proceedings to obtain discovery in the  
27 United States to assist in the foreign litigation. In particular, Section 1782 states:  
28

1 The district court of the district in which a person resides or is found may order him  
2 to give his testimony or statement or to produce a document or other thing for use in  
3 a proceeding in a foreign or international tribunal, including criminal investigations  
4 conducted before formal accusation. The order may be made . . . upon the  
application of any interested person and may direct that the testimony or statement  
be given, or the document or other thing be produced, before a person appointed by  
the court.

5 4. The statutory requirements of Section 1782 are satisfied here. As explained in the  
6 accompanying submissions: (1) Respondents reside in this District or alternatively have sufficient  
7 contacts in this District to warrant the exercise of this Court's personal jurisdiction; (2) the  
8 requested discovery is to be used in the Appraisal Proceeding; and (3) Petitioner is an "interested  
9 person" in the Appraisal Proceeding because it is a party to the Appraisal Proceeding before the  
10 Grand Court.

11 5. This application also meets the discretionary factors of Section 1782. As explained  
12 further in the accompanying submissions: (1) Respondents are not parties to the Appraisal  
13 Proceeding and cannot be compelled to provide discovery in that case; (2) the Grand Court is  
14 receptive to judicial assistance from a U.S. court; (3) Petitioner is not attempting to circumvent  
15 foreign proof-gathering restrictions; and (4) the requested discovery is not intrusive or burdensome.  
16 *See Intel Corp. v. Advanced Micro Devices, Inc.*, 542 U.S. 241, 244-245 (2004).

17 6. Petitioner therefore respectfully requests that this Court expeditiously grants this  
18 application for an Order granting Petitioner leave to serve Respondents with the proposed  
19 Subpoenas.

20 7. WHEREFORE, Petitioner respectfully requests that this Court enter an Order:

- 21 (a) granting the application for discovery under 28 U.S.C. § 1782;  
22 (b) authorizing Petitioner to take discovery from Respondents Kathleen Chien  
23 and Linda Chien, by issuing the proposed Subpoenas; and  
24 (c) directing Respondents to comply with the Subpoenas issued in this case in  
25 accordance with the Federal Rules of Civil Procedure and the Rules of this Court.
- 26  
27  
28

1 Dated: April 10, 2023

By: /s/ Marc S T Dworsky

2 **REID COLLINS & TSAI LLP**

3 Marc S T Dworsky (State Bar No. 157413)  
4 4450 Via Alegre  
5 Santa Barbara, CA 93110  
6 (626) 429-4022  
7 mdworsky@reidcollins.com

8 **REID COLLINS & TSAI LLP**

9 Jonathan M. Kass\*  
10 300 Delaware Avenue, Suite 770  
11 Wilmington, DE 19801-6600  
12 (302) 467-1765  
13 jkass@reidcollins.com

14 **REID COLLINS & TSAI LLP**

15 Minyao Wang\*  
16 Yonah Jaffe\*  
17 420 Lexington Avenue  
18 Suite 2731  
19 New York, NY 10170  
20 (212) 344-5200  
21 mwang@reidcollins.com  
22 yjaffe@reidcollins.com

23 *Counsel for Petitioner*

24 **LABATON SUCHAROW LLP**

25 Ira A. Schochet\*  
26 140 Broadway  
27 New York, NY 10005  
28 Telephone: (212) 907-0864  
Facsimile: (212) 883-7064  
ischochet@labaton.com

*Additional Counsel*

*\*Pro hac vice applications forthcoming*